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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/655,762	09/05/2003	Charles R. Cantor	701586-053023	6905	
50607	7590 11/30/200	5	EXAM	EXAMINER	
RONALD I. EISENSTEIN 100 SUMMER STREET			KIM, YOUNG J		
NIXON PEAL			ART UNIT	PAPER NUMBER	
BOSTON, M	A 02110		1637		

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/655,762	CANTOR ET AL.	
Examiner	Art Unit	
Young J. Kim	1637	

The MAILING DATE of this communication appears on the cover sheet with the correspondence address	;
THE REPLY FILED 20 November 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandon this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence,	which
places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4 a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the time periods:	1.31; or (3) he following
a) The period for reply expires <u>4</u> months from the mailing date of the final rejection.	
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.	
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).	
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate ex have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate of under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office act set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even may reduce any earned patent term adjustment. See 37 CFR 1.704(b).	extension fee ction; or (2) as
<u>NOTICE OF APPEAL</u> 2.	the date of
filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the ap a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).	
AMENDMENTS	100
 The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered becau (a)	196
(a) ☐ They raise the issue of new matter (see NOTE below);	
(c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the i appeal; and/or	ssues for
(d) They present additional claims without canceling a corresponding number of finally rejected claims.	
NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).	
4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTC)L-324).
5. Applicant's reply has overcome the following rejection(s):	
 Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment connon-allowable claim(s). 	anceling the
7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an expla how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows:	nation of
Claim(s) allowed: Claim(s) objected to:	
Claim(s) rejected:	
Claim(s) withdrawn from consideration:	
AFFIDAVIT OR OTHER EVIDENCE	
8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary was not earlier presented. See 37 CFR 1.116(e).	
9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will rentered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).	
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER	
11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because in the condition of the condition for allowance because in the condition for all the conditions are conditionally al	oecause:
12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).	
13. Other:	
- ha	
Xoung J. Kim	
Primary Examiner	

Continuation Sheet (PTO-303)

Continuation of 3. NOTE: Applicants present new claim limitations into the base claim 1, which was not present during prosecution of the application and prior to the final rejection of record. In addition, Applicants present additional claims without canceling a corresponding number of finally rejected claims in their submission of new claims which had never been prosecuted. MPEP 714.13 states that Applicants cannot, as a matter of right, amend any finally rejected claims, except when an amendment merely cancels claims, adopts examiner suggestions, removes issues for appeal, or in some way requires only cursory review by the examiner. The present claim amendments would clearly raise new issues, requiring more than a "cursory review." Therefore, the present amendment will not be

YOUNG J. KIM

11-28-06

PRIMARY EXAMINER